



b-1

MINUTES

S.L.O. County Subdivision Review Board

Aeron Arlin-Genet
Richard Marshall
Richard Lichtenfels
John Nall
John Euphrat

MEETING LOCATION AND SCHEDULE

Regular Subdivision Review Board meetings are held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, on the first and third Mondays of each month. The meeting schedule is as follows:

Meeting Begins:		9:00 A.M.
Morning Recess:	10:30	- 10:45 A.M.
Noon Recess:	12:00	- 1:30 P.M.

ALL HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

MEETING DATE: Monday, April 4, 2005

DRAFT *** DRAFT ***** Wording could change upon approval ***** DRAFT ***** DRAFT**

PRESENT: Laurie Salo, Environmental Health
Richard Marshall, Public Works
Aeron Arlin-Genet, Air Pollution Control District
John Euphrat, Long Range Planning, Chairman

ABSENT: John Nall, Planning, Environmental

STAFF: James Caruso, Current Planning
Kami Griffin, Long Range Planning
Julie Eliason, Environmental Division
Murry Wilson, Current Planning
Susan Callado, Current Planning
Josh LeBombard, Current Planning
Nick Forrester, Current Planning
Andrea Miller, staff
Elizabeth Kavanaugh, Current Planning
Larry Kelly, staff

OTHERS: Jim Orton, County Counsel

The meeting is called to order by Chairman Euphrat.

The following action minutes are listed as they were acted upon by the Subdivision Review Board and as listed on the agenda for the Regular Meeting of April 4, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

Speaker	Note
Call to Order	
ROLL CALL	John Nall, Environmental Division, absent
Public Comment Period	Members of the public wishing to address the Subdivision Review Board on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual. No one coming forward.
1. Consent Agenda	
Public Testimony	No one coming forward.

b-2

Thereafter, motion by Mr. Marshall, seconded by Ms. Arlin-Genet, is carried, in the absence of Mr. Nall, to approve the Consent Agenda, as follows:

Motion

1. Parcel Map CO 01-0198 (S010044P) Request from the SHOLDERS LAND SURVEYS/ FRED & ROSE MARIE ABITIA for a 1st one-year time extension for Vesting Tentative Parcel Map CO 01-0198 and Development Plan, to subdivide an existing 5.28 acre parcel into two parcels of 2.78 and 2.50 each, in the Residential Suburban Land Use category. The project is located at 12251/12255 Viejo Camino, approximately 700 feet south of Santa Barbara Road, south of the City of Atascadero. APN: 059-301-006, in the Salinas River Planning Area. County File No. S010044P/ CO 01-0198. Supervisorial District: 5. Staff recommends that a 1st one- year time extension be granted to March 3, 2006, subject to the original conditions of approval as set forth in the minutes of the Subdivision Review Board meeting dated March 3, 2003.

2. FLAGG, County File No. SUB2003-00018 / CO 04-0004

This being the time set for continued hearing from March 7, 2005 to consider proposal by **DAVID FLAGG** for a Tentative Parcel Map to allow for a subdivision of a 39.50 acre parcel into two 19.75 acre parcels using Transfer Development Credits for the sale and development of each proposed parcel. The project will include the grading of two driveways and two house pads (one house on each proposed lot), in the Agriculture Land Use Category. The property is located in the county on the southwest corner of the intersection of Highway 41 East and Straw Ridge, 0.6 mile west of Creston Road approximately 1.87 miles north west of the community of Creston, APN: 043-051-004, in the El Pomar-Estrella Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: Aesthetics, Ag Resources, Air Quality, Biological Resource, Public Service/Utilities and Recreation. **County File Number: SUB2003-00018/CO 04-0004**. Date application accepted: February 13, 2004. Supervisorial District 1. Susan Callado, Project Manager.

Susan Callado, staff

Provides background. States Findings for Denial are included in today's staff report. Displays findings overhead.

Richard Marshall, Public Works

Provides changes to Findings for Denial paragraphs B., C., and suggests Finding G requires change.

James Caruso

Provides new language for Finding G.

Eric Greening

Comments on the appropriateness of Finding G, and his hope that the new language will be adopted.

Motion

Thereafter, motion by Mr. Marshall, seconded by Ms. Salo, and carried in the absence of Mr. Nall, to deny the applicant's request for tentative Parcel Map CO 04-0004, based on the Findings in Exhibit A, with the following changes: In finding B., add "it does not comply with" following "because" in sentence 1; in Finding C, at the end of the last sentence, change "and slope" to "and steep slopes."; and in place of the language in Finding G, put the following language instead: "The project is exempt from CEQA because . . . and cite Public Resources Code Section 21080.b.5."

3. Patricia James, County File No. SUB2003-00239 / COAL 04-0242

This being the time set for hearing to consider a request by **PATRICIA JAMES** for a Lot Line Adjustment to adjust the lot lines between two parcels of 10.34 acres and 8.78 acres. The adjustment will result in two parcels of 5.10 acres and 14.03 acres each. The project will not result in the creation of any additional parcels and no development is proposed with this project. The proposed project is within the Residential Suburban and Residential Rural land use category and is located at 1699 Sage Avenue in the community of Los Osos. The site is in the Estero Planning Area. This project is exempt under CEQA. **County File No: SUB 2003-00239**. APN: 067-012-004; Date Accepted: January 30, 2005. Supervisorial District 2. Murry Wilson, Project Manager.

b-3

Murry Wilson, staff Gives the staff report. Displays maps, aerial views overhead. Recommends approval.

Chairman Euphrat Requests clarification regarding setbacks of greenhouses, with staff responding.

Ms. Salo Requests clarification as to whether the map displayed agrees with the map in the staff report, with staff responding.

Public testimony No one coming forward.

MOTION Thereafter, motion by Mr. Marshall, seconded by Ms. Arlin-Genet, is carried, in the absence of Mr. Nall, to approve the Lot Line Adjustment COAL 04-0242, based on the Findings in Exhibit A and subject to the Conditions in Exhibit B, as presented, with notation to correct map number from COAL 04-024 to COAL 04-0242.

4. ALEGRE / ALLEN, County File No. SUB2003-00345 / CO 04-0312 This being the tie set for hearing to consider a request by **LEE AND MINDY ALEGRE / JIM AND LINDA ALLEN** for a Vesting Tentative Parcel Map to subdivide an existing 19.7 acre parcel into 2 parcels of 10.0 and 9.7 acres each for the purpose of sale and/or development. The project is not proposing any new ground disturbance from existing conditions because a road and building pad were previously built under construction permit PMT2002-12585; however, the subdivision has the potential to result in two additional residences which would result in an unknown amount of disturbance. The proposed project is within the Residential Rural land use category and is located at 5520 El Pomar Drive, approximately 0.25 miles east of South El Pomar Road, and 5 miles east of the community of Templeton, in the El Pomar/Estrella planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address Agriculture, Biological Resources, Geology, Public Services, Wastewater and Water. **County File Number: SUB 2003-00345 / CO 04-0312.** APN: 033,301,007. Supervisorial District #1. Date Accepted: August 13, 2004. Julie Eliason, Project Manager.

Julie Eliason, staff Gives the staff report. States land use category should be changed from residential rural to agriculture. Gives background information. Recommends approval.

Mr. Marshall Requests clarification regarding minimum parcel size, suggesting an added condition regarding gross area.

Board members and staff Discuss requirements.

Eric Greening States the Templeton Area Advisory Group (TAAG) recognized this property was outside their area of jurisdiction and for that reason they did not hear this project. Suggests areas without advisory councils should be represented.

Shelly Wallace, neighbor States she has no problem with this project.

James Caruso, staff Reads Standard Condition into the record.

Ms. Arlin-Genet States this proposal is inconsistent with land use that promotes more compact development.

Motion Thereafter, motion by Ms. Salo, seconded by Mr. Marshall, and carried, with Ms. Arlin-Genet voting no, and in the absence of Mr. Nall, to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and grant a Vesting Tentative Tract Map to **LEE AND MINDY ALEGRE / JIM AND LINDA ALLEN** for the above referenced project, based on the Findings in Exhibit A and subject to the Conditions in Exhibit B, with the following change: to Condition 1, add "The lot area of Parcels 1 and 2 shall contain a minimum area of 10 acres, gross."

5. ALGEE, County File No. SUB2004-00097 / C04-0525 This being the time set for hearing to consider a request by **ALVIN ALGEE** for a Conditional Certificate of Compliance on a .54 acre parcel. The proposed project is within the Agricultural land use category and is located at 4797 La Panza Road approximately 1 mile Northeast of the Community of Creston. The site is in the El Pomar/Estrella planning

b-4

area. This project is exempt under CEQA. **County File No: SUB2004-00097 / C04-0525.** APN: 042-211-004. Supervisorial District 1. Date Accepted: February 23, 2005. Andrea Miller, Project Manager.

Andrea Miller, staff Gives the staff report. States Planning Area should be El Pomar-Estrella.

Andrea Miller Gives the staff report. Recommends approval.

Ms. Arlin-Genet Requests clarification regarding parcels to be merged, with staff responding.

Board members and staff Discuss minimum parcel sizes, adjacent parcel sizes.

Alvin Algee, Applicant Discusses that these are 4 80-acre parcels and one 77-acre parcel.

Eric Greening Requests information about which advisory group should have been contacted on this project.

James Caruso, staff States the project was not reviewed by an advisory council to date. States Santa Margarita Advisory Council usually reviews projects south of Highway 41 and this project is just south.

Board members and staff Discuss how this project should be described.

MOTION Thereafter, motion by Mr. Marshall, seconded by Ms. Salo, is carried, in the absence of Mr. Nall, to approve one Conditional Certificate of Compliance, No. CO4-0525, with change to planning area to read El Pomar-Estrella, based on the Findings in Exhibit A, and subject to the conditions in Exhibit B, as presented.

6. Filipponi, Weyrich, Bonesa and Thompson, County File No. SUB2003-00050 / C04-064 This being the time set for hearing to consider a request by **D. AND K. FILIPPONI, D. WEYRICH, S. AND M. BONESA AND N. AND C. THOMPSON** for one Conditional Certificate of Compliance to legalize an existing, 7.45 acre illegal parcel for the purpose of sale and/or development. The project involves no off site road improvements. No site disturbance is proposed as part of this project. No on site roads are proposed as part of this project. The proposed project is within the Commercial Retail land use category. APN: 040-289-030. The site is located at Las Tablas Road approximately 600 feet west from the intersection of Las Tablas Road and Duncan Road in the community of Templeton, in the Salinas River Planning Area. This project is exempt under CEQA. **County File No: SUB2003-00050.** Supervisorial District: #1. Date Accepted: January 19, 2005. Nick Forester, Project Manager.

Nick Forester, staff Gives the staff report. Displays aerial photographs. Recommends approval.

Eric Greening States the statement in the staff report that TAAG had no comment should be questioned as it is unusual for them to have no comment.

Nick Forester, staff States his understanding that the advisory council was contacted.

James Caruso, staff States TAAG was sent a referral on March 25, 2004, but no response was received.

MOTION Thereafter, motion by Mr. Marshall, seconded by Ms. Arlin-Genet, is carried, in the absence of Mr. Nall, noting the categorical exemption, to approve one Conditional Certificate of Compliance based on the Findings in Exhibit A, as presented, and subject to the Conditions in Exhibit B, with the following changes: delete the word "residential" in Conditions 3 and 8; and delete Conditions 13, and 14.

7. Baldwin/Nacey, County File No. S030181P / CO 03-0429 This being the time set for hearing to consider a request by **CYNTHIA BALDWIN A/K/A CYNTHIA NACEY** for a parcel map to subdivide four existing parcels totaling approximately 20 acres into five parcels of 2.5, 2.5, 2.5, and 7.34 acres each for the purpose of sale and/or development and one 5.10-acre remainder parcel. The project includes off-site road improvements of Salinas Road and Santa Clara Road. The proposed project is within the Residential Suburban land use category and is located at 13405 Salinas Road, on the northeast corner of Santa Clara Road and Salinas Road,

b-5

approximately one mile southeast of the city of Atascadero, is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq. Mitigation measures are proposed to address agriculture, biological, cultural resources, geology, hazardous materials, noise, public services, recreation, wastewater, and water. APN: 059-111-016. **County File No: S030181P**. Supervisorial District: 5. Date Accepted: August 26, 2004. Elizabeth Kavanaugh, Project Manager.

- Elizabeth Kavanaugh, staff Gives the staff report. Displays maps overhead. Recommends approval.
- Mr. Marshall Requests information as to whether Santa Margarita Advisory Council received a referral, with staff responding "yes."
- Mr. Marshall Requests further information regarding accessory structures, with staff responding a condition is in the staff report requiring removal.
- Board members and staff Discuss the size of the parcel proposed for the horse facility. Also discussed is whether there is a shared well, with staff responding.
- Phil Rymer, Agent States parcel 4 is 7.3 acres. The setbacks around the buildings are met for all buildings being retained, and accounts for some of the odd shapes of parcels and line jogs. The environmental document requires the remainder parcel have buffer zones for archeological features. They do not wish that parcel included in the subdivision. Discusses Salinas Road and Santa Clara Road. States there are 3 wells on site and the intent is to provide a well for each parcel.
- Eric Greening Questions when a project changes because applicant seeks a waiver, does that change the project enough that further advisory body review is appropriate. Regarding cultural resources, states his concern that the buffer zone should stay under certain circumstances. Discusses the flood hazard and the Salinas Dam that could be built.
- James Caruso, staff States the cultural resource buffer will show on the additional map sheet. Discusses the remainder parcel and possible future subdivision and what would be required to accomplish that. Discusses the road improvements that are standard, and suggests a road exemption could be filed. Discusses flood hazard and possible dam failure, and whether that is included in the 100-year hazard.
- Jim Orton, County Counsel States the Board has authority to require fronting road improvements to the remainder parcel, and clarifies. Regarding Condition 24, it should be revised, and gives language.
- Board members and staff Discuss terminology as defined in the Map Act, unimproved Salinas Road requirements, Santa Clara Road, options available to applicant and ramifications of possibly continuing.
- Phil Rymer, Cannon Associates States the request is to waive certain conditions of the remainder parcel, and if that cannot be done, because of health and safety issues, then a continuance would be appropriate. States Salinas Road and Santa Clara Road are dirt on both sides of the project. Speculates regarding maintenance. States all paving is west of the railroad tracks. No traffic will be added as a result of this project. States the remainder parcel is not part of the subdivision and so should not be included in the conditions.
- James Caruso, staff Gives suggestion to consider whether the parcels can be subdivided in the future, showing overhead that some parcels are dividable and some are not. Points out the parcels owned by applicant.
- Discussion takes place Among Board members.
- Phil Rymer, Agent States the reasons they wish to include the corner parcel in the subdivision.
- Board members and staff Discuss the future possibilities for subdividing, road improvements that can or should be required for this project.
- MOTION Thereafter, motion by Mr. Marshall, seconded by Ms. Salo, is carried, in the absence of

Mr. Nall, to continue the project off calendar, and to re-notice.

8. BROWN / BROWN &
MCBANE, County File No.
SUB2004-00090 / C04-
0487

This being the time set for hearing to consider a request by **DANIELLE BROWN, JONATHAN BROWN AND WENDY MCBANE** for two Conditional Certificates of Compliance for APN 018-191-059, a 3.51 acre parcel, and APN 018-191-048, a 2.01 acre parcel. The project is located on the south side of 12th Street / Fern Canyon Road, approximately 1,200 feet west of Merry Hill Road, west of the City of Paso Robles, in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq. Mitigation measures are proposed to address aesthetics, air quality, biological, geology, public service, recreation, transportation, wastewater, and Water. Land Use Category: Residential Rural. **County File No. SUB2004-00090**. Date Accepted: October 26, 2004. Supervisorial District 1. Elizabeth Kavanaugh, Project Manager.

Elizabeth Kavanaugh, staff	Gives the staff report. Displays maps and photographs overhead. Recommends approval.
Mr. Marshall	Requests clarification of possibility of merging with surrounding parcels, with staff responding.
Ms. Arlin-Genet	Requests clarification of position of URL on the map, with staff responding.
Chairman Euphrat	Requests clarification regarding prohibition against residential accessory structures, with staff responding.
Wendy McBane, Applicant	States her issue is a secondary dwelling. States before she purchased, she investigated putting such on the property. States there is already a pad that was cut prior to her purchase. She wishes a granny unit for her mother could be built on the property. States this was an 1893 subdivision.
Discussion takes place	Among Board members and staff.
Larry Kelly, staff	Answers questions regarding statement on staff report page 8-4 regarding the standards that must be followed. Discusses City limits, and whether any of these lots could be served by city water.
Robert Lewin, Fire Marshal, County Fire	Discusses fire requirements if a well and septic are allowed, stating normally a lot of this type/size would require a hydrant.
Ms. Salo	States how an individual well could meet the ordinance, stating the well would have to be off-site.
Jim Orton, County Counsel	States the SRB requirements are discretionary.
Further discussion takes place	Among Board members and staff.

MOTION

Thereafter, motion by Mr. Marshall, seconded by Ms. Salo, is carried, in the absence of Mr. Nall, to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and to approve two Conditional Certificates of Compliance, both under number CO 4-0487, based on the Findings in Exhibit A and subject to the Conditions in Exhibit B as presented for the larger of the two parcels, and for the smaller parcel, subject to the Conditions in Exhibit B with the option of using community water and adding the stock conditions for community water and septic for the smaller parcel.

9. Van Note, County File
No. SUB2004-00084 / CO
04-0120

This being the time set for hearing to consider a request by **STEVE VAN NOTE** for a Tentative Parcel Map to subdivide an existing approximately 3.3 acre parcel into 2 parcels of 1.0 and 2.28 acres each for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located on the south side of Martinez Drive, at 8691 Martinez Drive, approximately 1,000 feet east of Hog Canyon Road, in the community of San Miguel, in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in

b.7

accordance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: Agricultural Resources, Biological Resources, and Public Services. **County File No: SUB2004-00084.** APN: 027-251-010. Supervisorial District: 1. Date Accepted: October 22, 2004. Josh LeBombard, Project Manager.

- Josh LeBombard, staff Gives the staff report. Makes correction to property location. Displays maps and photographs overhead. Recommends approval.
- Mr. Marshall Requests clarification of whether the project was reviewed by an advisory council, with staff responding "yes" and giving details.
- Discussion takes place Among Board members and staff.
- Allen Fullbright, Agent States he is available to answer questions.
- MOTION** Thereafter, motion by Ms. Salo, seconded by Ms. Arlin-Genet, and carried, in the absence of Mr. Nall, to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and approve Tentative Parcel Map CO 04-0120, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B, as presented.
10. Weaber, County File No. SUB2003-00305 / COAL 04-011 This being the time set for hearing to consider a proposal by **STAN WEBER** for a Lot Line Adjustment to adjust the lot lines between 4 parcels of 12.47, 6.70, 3.00, and 1.89 acres each. The adjustment will result in 4 parcels of 12.20, 4.47, 4.12, and 3.27 acres each. The project will not result in the creation of any additional parcels. The project also consists of the abandonment of a portion of San Miguel road. The proposed project is within the Residential Rural land use category and is located on the west side of Highway 41, at 14199 Morro Road, within the community of Atascadero, in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures proposed for: Biological Resources, Geology, and Public Services. **County File No: SUB2003-00305.** APN's: 051-351-005 and -007; and 051-341-004 and -007. Supervisorial District: 5. Date Accepted: 9/16/2004. Josh LeBombard, Project Manager.
- Josh LeBombard, staff Gives the staff report. Displays photographs and maps overhead.
- Board Members and staff Discuss access roads, access for surrounding parcels.
- Robert Lewin, County Fire Marshal States this area is high hazard zone and has a terrible history.
- Ken Wilson, Agent States he is a land surveyor. The site is difficult. The biggest issue is the partial abandonment of San Miguel Road. Provides historical access points. Discusses difficulties of completing the existing road, and reasons for abandonment. States the project is attempting to minimize tree removal. States they wish to eliminate or reduce the 2:1 tree replacement ratio, because such a large amount of property will be put into permanent open space.
- Robert Lewin, County Fire Marshal States the Fire Department wants both roads to access Highway 41, and must have primary and secondary access to CDF standards (gives same).
- Ken Wilson, Agent States if the Fire Department wants off-site improvements then applicant will have to withdraw his application.
- Robert Lewin, County Fire Marshal Clarifies the Fire Department's position.
- Ken Wilson, Agent Discusses where the road would have to be located.
- Board Members and staff Discuss actions and conditions.

b.8

Robert Lewin, County Fire Marshal

States if the existing easement remains, physical improvements may be possible to avoid.

James Caruso, staff

Recommends a date at least 60 days from now if the Board wishes to continue.

MOTION

Thereafter, motion by Mr. Marshall, seconded by Ms. Arlin-Genet, is carried, in the absence of Mr. Nall, to continue to June 6, 2005.

11. WESNOUSKY, County File No. SUB2004-00041 / COAL 03-0462

This being the time set for hearing to consider a request BY **BILL WESNOUSKY** for a Lot Line Adjustment to adjust the lot lines between 2 parcels of 39.6 and 75.6 acres each. The adjustment will result in 2 parcels of 40 and 75.2 acres. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 3033 Mount Lowe Road, on the East Cuesta Ridge, on the east side of Mount Lowe Road, approximately two miles east of Highway 101, approximately 6 miles north of the City of San Luis Obispo, in the Los Padres planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address Biological Resources, Geology & Soils, Hazards and Hazardous Materials, Public Services/Utilities, and Wastewater. APN: 070-241-023. County File No. **SUB2004-00041**. Supervisorial District #5. Date Accepted: December 13, 2004. Brian Pedrotti, Project Manager.

Brian Pedrotti, staff

Gives the staff report. Makes correction to existing parcel sizes and resulting parcels sizes. Further describes the project, displaying maps and photographs overhead. Recommends approval.

Chairman Euphrat

Requests clarification of grading permit and visual impacts from Highway 101, with staff responding.

Ms. Salo

Requests clarification of slope where building envelopes are located, with staff responding.

David Marchell, Omni Design Group

States they have reviewed the staff report and agree with the Conditions of Approval. Is available to answer questions.

Eric Greening

Poses questions regarding access to Highway 101 from San Luis Obispo and the Hwy 58 off-ramp, does staff communicate with Cal-Trans, which has a study of closing the median the entire distance.

Brian Pedrotti, staff

States Cal-Trans responded only regarding the access and that they have no objections to its use.

Bill Wesnousky, Applicant

Discusses access to Highway 101 is a right-turn access only. The other direction requires a u-turn.

MOTION

Thereafter, motion by Mr. Marshall, seconded by Mr. Salo, is carried, in the absence of Mr. Nall, to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and to approve Lot Line Adjustment COAL 03-046, based on the Findings in Exhibit A and subject to the Conditions in Exhibit B, as presented.

12. UNION OIL, County File No. S030065P / CO 03-0287

This being the time set for hearing to consider a request by **UNION OIL** for a vesting tentative parcel map to subdivide an existing 109.3-acre parcel into two parcels of 78.92 acres and 30.37 acres, each for the sale and/or development of each proposed parcel. The purpose of the proposed subdivision is to provide separate parcels to the north and south of Tank Farm Road to prepare for future annexation of the northern portion into the City of San Luis Obispo. No development is proposed with this subdivision, and the proposed subdivision does not include an increase in the developability of the property. The site contains surface and subsurface crude oil contamination from the historical use of the property as a fuel storage and distribution facility. Land Use Categories: Recreation and Industrial. The project is located to the north and south of Tank Farm Road, approximately 1 mile east of Higuera Street on the southern boundary of the City of San

b-9

Luis Obispo, in the San Luis Obispo planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. APN's: 076-382-004, 076-381-001, 076-351-041 & -040. **County File No. S030065Q / CO 03-0287.** Date application accepted: December 26, 2003. Supervisorial District #3. Brian Pedrotti, Project Manager.

Brian Pedrotti, staff Gives the staff report. Provides short background of the parcels. States there is contamination of surface and subsurface soils. Recommends approval. Provides corrections to staff report.

Chairman Euphrat Questions the City of San Luis Obispo's response that states LAFCO has not reviewed.

James Caruso, staff States the City is in process of certifying the EIR and the Airport Specific Plan is still at Planning Commission as well. Once that is done, then LAFCO will take their action.

Chairman Euphrat Requests staff clarify whether applicant is aware of the risk, with staff responding and elaborating.

Terry Payne, RRM Design Group Reads an email into the record. Submits same for the record.

James Caruso, staff States Chevron/Texaco has now purchased UnoCal, as of a news story this morning. It may affect this land.

MOTION Thereafter, motion by Ms. Arlin-Genet, seconded by Mr. Marshall, is carried, in the absence of Mr. Nall, to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and approve Vesting Tentative Parcel Map CO 03-0287, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B, as presented, with the Land Use Category of Commercial Service deleted, and with the addition of Recreation parcel size inside URL of 6,000 square feet to 20 acres.

ADJOURNED

Respectfully submitted,
Lona Franklin, Secretary
County Subdivision Review Board

